

ATLANTA CITY COUNCIL

ACTION/MINUTES

JANUARY 03, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Tuesday, January 03, 2012 due to the New Year's Holiday, offices being closed on Monday, January 02, 2012. The Meeting convened at 1:08 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided. The Honorable Acting Council President Pro Tempore Howard Shook presided a portion of the meeting.

Attendance:

The following (15) voting members were present at the Meeting:

The Honorable Carla Smith *1:12	The Honorable Felicia A. Moore
The Honorable Kwanza Hall *1:53	The Honorable C. T. Martin
The Honorable Ivory Lee Young, Jr.	The Honorable Keisha Bottoms
The Honorable Clela Winslow	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *2:28	The Honorable Michael J. Bond
The Honorable Alex Wan	The Honorable Aaron Watson
The Honorable Howard Shook *1:12	The Honorable H. Lamar Willis *1:12
The Honorable Yolanda Adrean	

***Arrival Time:** - indicates arrival after convening roll call.

INVOCATION: Reverend Dr. Marvin Anthony Moss of Cascade United Methodist Church gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **December 05, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

SUSPEND RULES OF COUNCIL: During the meeting, **Council President Ceasar C. Mitchell** entertained a Motion to **Suspend the Rules of Council** to allow Mayor Kasim Reed to address the body. It was properly Seconded and **CARRIED** by a roll call vote of **14 yeas; 0 nays**. After the Mayor addressed the body, a Motion was made to **re-enter Regular Session**. It was properly Seconded and **CARRIED** by a roll call vote of **14 yeas; 0 nays**. At the end of the meeting, **Councilmember Martin made a Motion**

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to Suspend the Rules of Council again to allow Mayor Kasim Reed to address the body regarding the Adoption of the Airport concession vendors. It was properly Seconded and **CARRIED by a roll call vote of 14 yeas; 0 nays.** The Mayor then Addressed the Council. After his comments, A **Motion** was made to re-enter **Regular Session.** It was Seconded by Councilmember Martin and **CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.** Council then re-entered Regular Session.

ADOPTION OF AGENDA: Councilmember Moore made a **Motion to Amend the Agenda** by moving the **Standing Committee of Transportation to report first.** It was Seconded by Councilmember Adrean and the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays.** Ms. Moore then made a Motion to Adopt as Amended. It was Seconded by Councilmember Adrean and a discussion ensued. During discussion, **Councilmember Martin** made a Motion to **Amend the Agenda** to report the **Standing Committees as listed.** Following, **Councilmember Bottoms** was recognized and made a Motion to **Reconsider the Moore Amendment.** It was Seconded by Councilmember Martin and **CARRIED Without Objection.** **Councilmember Willis** then made a Substitute Motion to **Amend the Agenda** by reporting the **Standing Committees as listed.** It was properly Seconded and **CARRIED** by a roll call vote of **11 yeas; 2 nays.** Subsequently, the Motion to **Adopt as Amended** was moved and **CARRIED** by a roll call vote of **11 yeas; 0 nays.**

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 12-C-0001 (1) A Communication from **MaryAnne Gaunt, Vice-Chair, Board of Ethics, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the Atlanta Bar Association's re-appointment of Ms. Caroline Johnson Tanner as their representative to serve as a member of the City of Atlanta's Board of Ethics. This re-appointment is for a term of three (3) years and does not require Council confirmation.
FILED WITHOUT OBJECTION
- 12-C-0002 (2) A Communication by **Councilmember Felicia A. Moore** to Council President Ceasar C. Mitchell submitting Mr. Jamel DaCosta as a nominee to serve as a Full Council appointee to the Elected Officials Compensation Commission.
FILED WITHOUT OBJECTION
- 12-C-0003 (3) A Communication from **Caroline Johnson Tanner, Chair, Board of Ethics, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the Gate City Bar Association's re-appointment of Ms. Shukura L. Ingram as its representative to serve as a member of the City of Atlanta's Board of Ethics. This re-appointment is for a term of three (3) years and does not require Council confirmation.
FILED WITHOUT OBJECTION
- 12-C-0004 (4) A Communication from **Ms. Gina Pagnotta, President, Professional Association of City Employees (PACE), to Council President Ceasar C. Mitchell and Members of Council** submitting herself as the PACE representative to serve as a member of the New Pension Plan Committee to identify potential methods and sources for mitigating and/or paying for the overage in future fiscal years.
FILED WITHOUT OBJECTION
- 12-C-0005 (5) A Communication from **Diane O' Steen, Executive Director, Atlanta Bar Association, to Municipal Clerk Rhonda Dauphin Johnson**, submitting Mrs. Lisa Steinmetz Morchower as their representative to serve as a member of the Atlanta Alcohol Technical Advisory Group II (ATAG).
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 12-C-0006 (6) A Communication by **Mayor Kasim Reed** appointing Ms. Duriya M. Farooqui as Interim Chief Operating Officer for the City of Atlanta effective December 12, 2011.
FILED WITHOUT OBJECTION
- 12-C-0007 (7) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the December 2011 Monthly Contracts Report to the Atlanta City Council and Clerk of Council pursuant to Section 2-1142 of the Atlanta City Code of Ordinances.
FILED WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

12-C-0008 (8) A Communication from the **General Employees Pension Plan Board of Trustees to Municipal Clerk Rhonda Dauphin Johnson**, selecting Mr. Alfred Berry, Jr. as its Cost Recovery Plan Committee Representative as required in Section 9 (1) (iii) of legislation 11-O-0672.
FILED WITHOUT OBJECTION

12-C-0070 (9) **Note: See Communication 11-C-1690.**

11-C-1690 (10) A Communication by **Councilmember C. T. Martin** submitting the nomination of Ms. Wendy W. Green to serve as a Full Council appointee to the Elected Officials Compensation Commission.
FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

11-R-1648 (1) A Resolution by **Transportation Committee** authorizing the Mayor to award and execute an Agreement with Lenlyn Limited d/b/a International Currency Exchange for FC-5236 Foreign Currency Exchange Services – Concourses E and F at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

During this meeting, Councilmember Moore made a Motion to continue to Table Resolution 11-R-1648. However, Councilmember Martin was recognized and he made a Substitute Motion to Remove the item from the Table. It was properly Seconded and a discussion ensued. After discussion, the Martin Motion CARRIED by a roll call vote of 12 yeas; 2 nays. With Resolution 11-R-1648 then before Council, Councilmember Martin made a Motion to Refer 11-R-1648 to discuss with the Standing Committee of Transportation Report. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 1 nay. Therefore, Council acted on the resolution during the Transportation Committee Report. During the report, Council entered Committee of the Whole to discuss the resolution further. Councilmember Martin then made a Motion to Table the item. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 1 nay. Returning back to Regular Session, 11-R-1648 was sounded by Municipal Clerk Rhonda Dauphin Johnson. A Motion was made to Table. Without Objection, the Motion CARRIED by a roll call vote of 10 yeas; 5 nays. Thereafter, Councilmember Hall was recognized and made a Motion to remove the item from the Table. It was Seconded by Councilmember Adrean and CARRIED by a roll call vote of 14 yeas; 1 nay. The resolution was before Council. Councilmember Martin subsequently made a Motion to Adopt. It was Seconded by Councilmember Hall and CARRIED by a roll call vote of 14 yeas; 1 nay.

Yeas: Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Bond, Watson and Watson

Nays: Moore

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY

CONSENT AGENDA SECTION I

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There will be no separate discussion of these items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be considered separately - excerpt from 11.2, Consent Agenda; Rules for the Conduct of Business for the Council of the City of Atlanta.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **13 Yeas: Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis: 0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

11-O-1694 (1) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** amending the 2012 (Intergovernmental Grant Fund) Budget, Department Of Police ("Department"), by adding to anticipations and appropriations in the amount of \$93,400.00, for a Grant Award from the Governor's Office of Highway Safety, and matching funds in the amount of \$140,200.00) from the General Fund Budget; to reimburse some of the department's costs of Traffic Law Enforcement, and to promote safety on the roadways; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-O-1717 (2) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Office of the Mayor, by adding to anticipations and appropriations in the amount of \$39,494.00, from the State of Georgia Governor's Office of Children and Youth, and \$25,448.00 from the City of Atlanta Matching Funds for the Intensive Surveillance Officers Program; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

- 11-O-1713 (3) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2012 Airport Renewal and Extension Budget, Department of Aviation, by adding to anticipations and appropriations Grant Funds in the total amount of \$1,000,000.00 from the Federal Aviation Administration, and transferring to and from appropriations in the amount of \$333,333.34 for the City's share in Grant Agreement 3-13-0008-103-2011, for the Project "Improve Runway Safety Area (Install 10/28 Bridge Railing)"; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-O-1714 (4) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Airport Renewal and Extension Fund) Budget, Department of Aviation, by adding to anticipations and appropriations Grant Funds in the total amount of \$3,076,639.00 from the Federal Aviation Administration for the Project "Runway 26R Runway Protection Zone Land Acquisition (5.7 Acres+/-)"; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-O-1832 (5) An Ordinance by **Councilmember Yolanda Adrean** authorizing the Mayor to enter an Agreement as Renewal No. 1 with Industrial Furnace Company, Inc. ("IFCO") for FC-4941, Incinerator Maintenance Repair and Replacement, a Sole Source Agreement, which expired, on behalf of the Department of Watershed Management in an amount not to exceed \$340,000.00; to waive the Competitive Bidding requirements of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)
YOLANDA ADREAN, CHAIR

11-O-1836 (6) An Ordinance by **Councilmember H. Lamar Willis as Substituted and Amended by Finance/Executive Committee** to reorganize and consolidate the Department of Human Resources for the City of Atlanta by authorizing the Chief Financial Officer to amend the FY 2012 (General Fund) Budget, the FY 2012 (Airport Revenue Fund) Budget, the FY 2012 (Water and Wastewater Revenue Fund) Budget, the FY 2012 (Solid Waste Revenue Fund) Budget, and the FY 2012 (Fleet Service Fund) Budget by transferring Appropriations in the total amount of \$6,091,680.85 from various departments to the Department of Human Resources.

ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-O-1837 (7) An Ordinance by **Councilmember H. Lamar Willis as Substituted and Amended by Finance/Executive Committee** to reorganize and consolidate the Department of Human Resources for the City of Atlanta by amending the FY'12 General Fund Budget, FY'12 Department of Aviation Airport Revenue Fund Budget, FY'12 Department of Public Works Solid Waste Services Revenue Fund Budget, FY'12 Fleet Service Fund Budget, and FY'12 Department of Watershed Management Water and Wastewater Revenue Fund Budget by transferring appropriations to the Department of Human Resources FY'12 Budget personnel line item and employee benefits costs; and for other purposes.

ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-O-1838 (8) An Ordinance by **Councilmember H. Lamar Willis as Substituted by Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV," Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class creations, above entry authorizations, position transfers; and other personnel actions in line with the 2012 Budget; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

11-O-1630 (9) An Ordinance by **Community Development/Human Resources Committee** amending the FY 2011 (Community Development Fund) Budget by anticipating and appropriating in the amount of \$51,705.14 for the purpose of reprogramming funds under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) of the American Recovery and Reinvestment Act (ARRA) of 2009; authorizing the Mayor to enter into a Contract Amendment with Travelers Aid of Metropolitan Atlanta, Inc. for Project HPR-08-12, Hope Atlanta Homeless Prevention and Rapid Re-Housing; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-O-1712 (10) An Ordinance by **Finance/Executive Committee** amending the 2012 (Intergovernmental Grant Fund) Budget, Department of Planning and Community Development, by adding to anticipations and appropriations in the amount of \$17,290.00 for the purpose of preparing the "McPherson & Walker Monuments Conditions Assessment Project"; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-O-1839 (11) An Ordinance by **Councilmember Joyce M. Sheperd** authorizing the Mayor or his designee to enter into an Intergovernmental Agreement between the City of Atlanta and the Atlanta Development Authority for Economic Development Services; to ratify the prior provision of economic development services under an expired agreement; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

TRANSPORTATION COMMITTEE
C. T. MARTIN, CHAIR

11-O-1718 (12) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to install a traffic signal at the intersection of Howell Mill Road, NW and White Street and located directly across from the Howell Mill Square Shopping Center Driveway that empties onto Howell Mill Road, NW; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 11-R-1789 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of State Farm Mutual Automotive Insurance Company a/s/o Todd Stephens v. the City of Atlanta, Civil Action File No. 10EV010908A, in the amount of \$3,442.12; authorizing said payment to be charged to and paid from Fund, Department, Account, and Function Activity listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-R-1815 (2) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to Midtown Courtyard by Marriott for an overpayment of Business License Fees in the amount of \$7,215.59; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 11-R-1811 (3) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to execute the First Amendment to the Intergovernmental Agreement by and between the City of Atlanta and the Atlanta Development Authority to add funds to the Empowerment Zone Revolving Loan Fund and Empowerment Zone Façade Fund in the amount of \$200,000.00 for capital to provide loans to businesses located within the eligible Empowerment Zone Census Tracts; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 11-R-1844 (4) A Resolution by **Councilmember Natalyn Archibong as Substituted by Community Development/Human Resources Committee** authorizing the Mayor to amend the requested grant application amount, authorized in Resolution 11-R-1406, in order to apply for a Livable Centers Initiative (LCI) Grant from the Atlanta Regional Commission (ARC) in an amount not to exceed \$187,500.00 in order to conduct an LCI Study for the Memorial Drive LCI; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
C. T. MARTIN, CHAIR

- 11-R-1821 (5) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 13 to the Central Passenger Terminal Complex Lease Agreement with Atlantic Southeast Airlines, Inc. ("ASA") providing for an increase in ASA's Tenant Finish Equipment Systems charge rentals in order to repay the City of Atlanta for ASA's share of the cost of the D North Project; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-R-1822 (6) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with Delta Air Lines, Inc. to provide for the occupancy and use of Fuel Storage Premises and the Delta Fuel Farm at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-R-1823 (7) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Amendment No. 28 to the Central Passenger Terminal Complex Lease Agreement with Delta Air Lines, Inc. covering the addition of approximately 5,090 square feet of space on Concourse F to its premises and providing funding for the consolidation of its Clubs on Concourse E; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

11-R-1824 (8) A Resolution by **Transportation Committee** authorizing the Aviation General Manager or his designee to issue Task Orders under Contract FC-6006007929-A, Architectural and Engineering Design Services with Hartsfield Support Services Team in an amount not to exceed \$500,000.00 to provide Architectural and Engineering Design Services to modernize the Vertical Transportation System inclusive of escalators, elevators and moving walkways in the Central Passenger Terminal Complex at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

11-R-1825 (9) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 25 to the Central Passenger Terminal Complex Lease Agreement with Delta Air Lines, Inc. ("DELTA") providing for the addition of 3,865 square feet of space to Delta's Leased Premises providing for an associated increase in Delta's rent; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

11-R-1826 (10) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Amendment to and Renewal of Concessions Agreement FC-6006007895, Full Service Commercial Bank and Foreign Currency Exchange Services with Wells Fargo Bank, N.A.; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

11-R-1796 (1) Claim of **Allstate Insurance Company, as subrogee of Dale Conner (DWM/01)**, for damages alleged to have been sustained as a result of a vehicular accident on September 16, 2010 at 930 Moreland Avenue. **\$4,517.82**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

- 11-R-1797 (2) Claim of **James Jackson, through his attorney, Todd Walkoff (DPW/03)**, for damages alleged to have been sustained as a result of a vehicular accident on January 24, 2011 at 1255 North Avenue. **\$4,100.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1798 (3) Claim of **Allstate Insurance Company, as subrogee of Heidy Fuentes (APD/02)**, for property damages alleged to have been sustained from an automobile accident on February 19, 2011 at Courtland Street, SE and Decatur Street, SE. **\$4,089.65**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1799 (4) Claim of **Nichelle Ellis, through her attorney, Todd Walkoff (DPW/03)**, for damages alleged to have been sustained as a result of a vehicular accident on January 24, 2011 at 1255 North Avenue. **\$3,300.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1800 (5) Claim of **Victor Johnson, through his attorney, William Schneider (APD/05)**, for damages alleged to have been sustained as a result of a vehicular accident on January 30, 2011 at 1393 Hosea L. Williams Drive. **\$3,200.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1801 (6) Claim of **USAA, as subrogee of Bryan Paden (APD/12)**, for damages alleged to have been sustained as a result of a vehicular accident on January 4, 2011 at 215 Lakewood Way. **\$1,722.05**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations:

- 11-R-1802 (7) Claim of **Tametrak Huckaby, through her attorney, Michael Rubin (APD/03)**, for damages alleged to have been sustained as a result of a vehicular accident on July 7, 2011 at 1742 Donald Lee Hollowell Parkway.
ADVERSESED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1803 (8) Claim of **Elvira Karch, through her attorney, Lynn S. Walker, Esq., Montlick & Associates, P.C. (DOA/NA)**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on June 5, 2011 at Hartsfield-Jackson International Airport, 8700 Spine Road.
ADVERSESED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1804 (9) Claim of **Jennifer A. Graham (DWM/02)**, for damages alleged to have been sustained as the result of a bicycle accident on June 9, 2011 at North Avenue between Marietta Street and Northyards Boulevard.
ADVERSESED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

CONSENT AGENDA SECTION II

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

All items on Consent Agenda Section II (01 through 08 as follows) were Referred to the appropriate committees as a collective vote.

Yeas: Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Bond, Watson and Willis

Nays: None

11-O-1805 (1) An Ordinance by **City Utilities Committee** authorizing the release of a certain Sanitary Sewer Easement, said Easement being located on the property known as 2690 Metropolitan Parkway, Atlanta, Georgia; authorizing the Mayor or his designee to execute a Quitclaim Deed or other documents necessary to effectuate such release; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-O-1806 (2) An Ordinance by **City Utilities Committee** authorizing the release of a certain Storm Sewer Easement in exchange for certain improvements to the City of Atlanta Storm Water System, said easement being located on the property known as 4225 Harris Trial, Atlanta, Georgia; authorizing the Mayor or his designee to execute a Quitclaim Deed or other documents necessary to effectuate such release; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-O-1807 (3) An Ordinance by **City Utilities Committee** to abandon that portion of Lindbergh Drive and being more specifically described in the attached Exhibits "A-1 and A-2" lying and being in Land Lots 48 and 59 of the 17th District, Fulton County, Georgia; waiving certain provisions of the Code of Ordinances; and for other purposes. (Advertised for a Public Hearing 1/10/12)

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 11-O-1808 (4) An Ordinance by **City Utilities Committee** authorizing the Mayor of his designee to execute documents that would grant permanent easement rights to the Georgia Power Company across three tax parcels owned by the City of Atlanta and under the purview of the Department of Watershed Management that are located in the Land Lot 150 and 151 on the 17th District of Fulton County; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-1809 (5) An Ordinance by **City Utilities Committee** authorizing the Mayor of his designee to execute documents that would grant permanent easement rights to the Georgia Power Company across city-owned property associated with Fire Station 25 at 2349 Benjamin E. Mays Drive in Land Lot 183 of the 14th District of Fulton County; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-1810 (6) An Ordinance by **City Utilities Committee** authorizing the Mayor of his designee to execute documents that would grant permanent easement rights to the Georgia Power Company across city-owned property associated with the Atlanta Fire Training Facility on Claire Drive in Land Lot 72 of the 14th District of Fulton County; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

11-O-1813 (7) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to execute a Sole Source Agreement to be designated as Contract Number SS-5609-PL with Stratus Technologies for Server Support for a term of one (1) year with two (2) one-year renewal options with an effective date of January 1, 2012 for an amount not to exceed \$115,518.00 for the first year and an amount not to exceed \$123,000.00 for any additional renewal term on behalf of the Department of Information Technology, to be charged to and paid from the FDOA Numbers listed; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-O-1820 (8) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to pay all outstanding invoices to Jacobs/PRAD/PBS & J, Joint Venture ("JP2"), for unpaid services rendered for the project closeout of Task Order FC-7619-03D, Annual Contract for Architectural and Engineering Services, Riverside Outfall Capacity Relief on behalf of the Department of Watershed Management, in an amount not to exceed \$11,915.00; to waive Article X, Division 4, Section 2 of the City of Atlanta Code of Ordinances; all contracted work shall be charged to and paid from the FDOA and PTAE0 Numbers listed; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the December 13, 2011 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Martin, Shook, Adrean and Smith

Absent: Councilmembers Watson and Willis

The Standing Committee of City Utilities did not have a report.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)

IVORY L. YOUNG, JR., CHAIR

Attendance at the December 13, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Martin, Bond, Bottoms, Wan, Sheperd and Adrean

Absent: None

The Standing Committee of Public Safety and Legal Administration did not have a report.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the December 14, 2011 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Adrean (Chair), Moore, Martin, Wan, Shook and Willis

Absent: Councilmember Watson

REPORT

11-TR-1790 (1) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item to various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

Yeas: **Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **Moore**

FILED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

ORDINANCES FOR SECOND READING

10-O-0874 (1) An Ordinance by **Finance/Executive Committee** amending Chapter 114, Article IV, Division 12, Section 114-379 of the City of Atlanta Code of Ordinances entitled "Layoff or Reduction in Force" so as to provide for the use of the Veterans' Preference authorized by Section 114-207 during the calculation of retention points; and for other purposes.

Yeas: **Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **None**

FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (2)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

11-O-1719 (2) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the multi-term contract provisions contained in Article X, the Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, allowing the City to contractually exercise its renewal option retroactively with ITT Corporation for a Noise and Operations Monitoring System at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$110,250.00 for the period of July 1, 2011 through June 30, 2012; all services will be charged to and paid from the FDOA Numbers listed; and for other purposes.

Yeas: **Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **None**

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

RESOLUTIONS

11-R-1814 (1) A Resolution by **Finance/Executive Committee** urging the 2012 Georgia General Assembly to support the City of Atlanta's 2012 Legislative Package; and for other purposes.

Chairperson Adrean sounded the caption of Resolution 11-R-1814 and made a Motion to Table; However, Councilmember Shook was recognized and made a Substitute Motion to Refer the resolution back to the Finance/Executive Committee. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

Yeas: **Smith, Hall, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **None**

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (3)
YOLANDA ADREAN, CHAIR

RESOLUTIONS (CONT'D)

Resolutions (02 through 03 as follows) were taken as a collective vote.

Yeas: **Smith, Hall, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **None**

11-R-1816 (2) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Agreement with CDW Government, LLC utilizing General Services Administration Contract No. GS-35-F-0195J for COA0002 for the purchase of thirteen (13) Lenovo D20 Custom Tower Desktop Computers on behalf of the Department of Watershed Management in an amount not to exceed \$50,674.00; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-R-1818 (3) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue refund to FIB Amware, LLC in the amount of \$33,000.50 for adjustments applied to the account; and for other purposes.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the January 03, 2012 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Sheperd, Winslow, Adrean, Archibong and Hall

Absent: None

COMMUNICATIONS

Communications (01, 02 & 04 through 06 as follows) were taken as a collective vote.

Yeas: Smith, Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis

Nays: None

11-C-1164 (1) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. William McFarland to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 12/13/11.)**

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-C-1605 (2) A Communication from **Flor Velarde, Atlanta Development Authority, to Municipal Clerk Rhonda Dauphin Johnson**, transmitting the name and resume of Mr. Matt Cherry, NPU-X representative, for reappointment to the Metropolitan Parkway Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 12/13/11.)**

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

11-C-1791 (3) A Communication by **Council President Ceasar C. Mitchell** appointing Ms. Geri P. Thomas to serve as a member of the Elected Officials Compensation Commission.

Yeas: **Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **None**

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-C-1792 (4) A Communication by **Council President Ceasar C. Mitchell** appointing Ms. Martha Porter Hall to serve as a member of the Atlanta Alcohol Technical Advisory Group II (ATAG), scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety & Legal Administration Committee 12/13/11.)**

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-C-1794 (5) A Communication by **Councilmembers Aaron Watson, Post 2 At-Large; Natalyn Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7 and Yolanda Adrean, District 8** appointing Mr. Jeffrey Eugene Thomas to serve as a member of the Atlanta BeltLine Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 12/13/11.)**

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-C-1795 (6) A Communication by **Councilmembers Aaron Watson, Post 2 At-Large; Natalyn Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7 and Yolanda Adrean, District 8** appointing Mr. Tommy Hart Jones to serve as a member of the Atlanta Urban Design Commission, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 12/13/11.)**

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)

FELICIA A. MOORE, CHAIR

CHARTER AMENDMENT FOR SECOND READING/FIRST ADOPTION

11-O-1827 (1) A **Substitute** Ordinance by **Committee on Council** adopted by virtue of the authority of the Municipal Home Rule Act of 1965, Ga. L. 1965, p. 298, et seq., O.C.G.A. § 36-35-3(l)(b), as amended, and as required by further authority of O.C.G.A. § 36-35-4.1, so as to amend § 5-201 of the Charter of the City of Atlanta, Georgia, Ga. L. 1996, p. 4469, et seq., as amended, by striking in its entirety Appendix I thereto relating to the Boundaries of Council Districts and inserting in lieu thereof a new Appendix I adopting the New Official Council Districts Map identified as Plan 6 with related population summary report, a plan components report (outlining Voting Tabulation Districts/VTDs) and the Boundary Descriptions of Council Districts 1 through 12, as required by City Council Charter Section 5-202 following the 2010 United States Decennial Census; to repeal conflicting ordinances; and for other purposes. **(2nd Reading, 1st Adoption)**

Yeas: **Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis**

Nays: **None**

REFERRED SUBSTITUTE TO COMMITTEE ON COUNCIL BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

RESOLUTION

12-R-0009 (1) A Resolution by **Committee on Council** appointing Ms. Wendy W. Green and Mr. Jamel DaCosta as the two (2) City Council appointees to the Elected Officials Compensation Commission (EOCC) with a term of office expiring with the regular municipal elections; and for other purposes.

Yeas: **Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis**

Nays: **None**

REFERRED TO COMMITTEE ON COUNCIL BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
JOYCE SHEPERD, CHAIR

Attendance at the December 13, 2011 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Young, Wan, Winslow and Bond

Absent: Councilmembers Hall and Archibong

The Standing Committee of Community Development/Human Resources did not have a report.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

CLETA WINSLOW, VICE-CHAIR

Attendance at the December 14, 2011 meeting of the Zoning Committee was as follows:

Present: Councilmembers Winslow (Vice-Chair), Bottoms, Smith and Shook

Absent: Councilmembers Hall, Young and Watson

ORDINANCE FOR SECOND READING

11-O-1843 (1) An Ordinance by **Councilmembers Carla Smith and Natalyn M. Archibong** placing Interim Controls in an area of Council Districts 1 and 5, which is the subject of the South Moreland Avenue Livable Centers Initiative Study (2008) and adopted as part of Comprehensive Development Plan for the purpose of allowing time for amendment of the Zoning Map to conform with the plan.

Note: Councilmember Smith made a Motion to send Ordinance 11-O-1843 to the Mayor's Office immediately for his signature. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays. Therefore, the ordinance was sent to the Mayor's Office.

Yeas: Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis

Nays: None

ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the December 14, 2011 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Bottoms, Smith, Willis and Bond

Absent: None

ORDINANCE FOR SECOND READING

10-O-1732 (1) An Ordinance by **Councilmembers Michael J. Bond, Keisha Lance Bottoms, C. T. Martin, H. Lamar Willis, Cleta Winslow, Aaron Watson, Ivory L. Young, Jr., Yolanda Adrean and Joyce Sheperd** authorizing the Mayor or his designee to install a traffic signal at the intersection of County Line Road, SW and Tell and Butner Roads; and for other purposes.

Yeas: Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis

Nays: Bond

FILED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (2)

C. T. MARTIN, CHAIR

RESOLUTIONS

11-R-1704 (1) A Resolution by **Transportation Committee** on behalf of the Department of Aviation authorizing the Mayor to execute Concessions Agreement FC-5325; Duty Free at Hartsfield-Jackson Atlanta International Airport with Duty Free Americas Peachtree, LLC; and for other purposes.

Council entered Committee of the Whole by a unanimous roll call vote of 15 yeas; 0 nays to discuss Resolution 11-R-1704 further. After discussion, Councilmember Martin made a Motion to Approve. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 1 nay. Re-entering Regular Session, Municipal Clerk Rhonda Dauphin Johnson sounded the caption of Resolution 11-R-1704. Councilmember Martin then made a Motion to Adopt. Without Objection, the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

Yeas: Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis

Nays: None

ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Resolutions (11-R-1845 and 11-R-1846 as follows) were taken as a collective vote.

Chairperson Martin sounded the captions of Resolutions 11-R-1845 and 11-R-1846 and made a Motion to Adopt Both Items. It was properly Seconded and a discussion ensued, during which, Councilmember Adrean made a Motion to enter the Committee of the Whole to discuss 11-R-1845 and 11-R-1846. It was Seconded by Councilmember Wan. During discussion Councilmember Moore offered a Friendly Amendment to that Motion to Enter Committee of the Whole to include Resolutions 11-R-1704 and 11-R-1648 in the discussion. Accepted by Councilmember Adrean, the Motion to Enter Committee of the Whole CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

COMMITTEE OF THE WHOLE

Within Committee of the Whole, Council directed questions to Aviation General Manager Louis Miller, City Attorney Cathy

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (3)

C. T. MARTIN, CHAIR

RESOLUTIONS (CONT'D)

Hampton, Deputy City Attorney Eric Richardson and Outside Counsel Carl G. Bell regarding Resolutions 11-R-1704 and 11-R-1648. Council continued with discussion of Resolution 11-R-1845. Councilmember Bond was recognized and offered a Motion to Separate the Vendors/Contracts listed in the Legislation into individual resolutions. The Motion was properly Seconded and after an extensive discussion it FAILED by a roll call vote of 2 yeas; 13 nays. Councilmember Adrean then offered Amendment #1 to attach a draft contract to 11-R-1845. A discussion ensued, during which, Councilmember Hall made a Motion to Enter Executive Session. It was Seconded by Councilmember Archibong but shortly thereafter, Councilmember Hall's Motion to Enter Executive Session, and Ms. Archibong's Second were withdrawn. Council Discussions continued with participation by Mayor Kasim Reed, Chief Procurement Officer Adam Smith, Aviation General Manager Louis Miller, City Attorney Cathy Hampton, Deputy City Attorney Eric Richardson, and William Perry, Executive Director of Common Cause of Georgia. Councilmember Bottoms subsequently made a Motion to Enter Executive Session to Discuss Resolutions 11-R-1845 and 11-R-1846 due to potential litigation. The Motion was properly Seconded and CARRIED by a roll call vote of 12 yeas; 1 nay and Council retreated into Executive Session. Returning back from the Executive Session, a Motion to re-enter Committee of the Whole was Made, properly Seconded, and CARRIED by a roll call vote of 14 yeas; 0 nays. Back within the Committee of the Whole, discussion continued and concluded with Councilmember Martin making a Motion to Return to Regular Session. It was Seconded by Councilmember Winslow. However, the Second and the Motion were subsequently withdrawn. Mr. Martin then made a Motion to Approve 11-R-1845 within the Committee of the Whole. It was properly Seconded and Councilmember Adrean was recognized and restated her Motion to Amend #1 and clarified her intent to Amend the Third Resolve Clause to read: Be It Further Resolved, that the City Attorney is directed to prepare appropriate concessions agreements, consistent with the form agreement included in the RFP, for execution by the Mayor. It was properly Seconded and after a brief discussion, the Adrean Amendment #1 CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. The subsequent Motion to Approve on Substitute as Amended CARRIED by a roll call vote of 13 yeas; 2 nays. Discussion then surrounded

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (4)

C. T. MARTIN, CHAIR

RESOLUTIONS (CONT'D)

Resolution 11-R-1846 while in Committee of the Whole. Municipal Clerk Rhonda Dauphin Johnson sounded the caption of the ordinance and Councilmember Martin made a Motion to Approve. It was properly Seconded but Councilmember Adrean then made a Motion to Amend and offered the same amendment language as in Resolution 11-R-1845, "to Amend the Third Resolve Clause to read: Be It Further Resolved, that the City Attorney is directed to prepare appropriate concessions agreements, consistent with the form agreement included in the RFP, for execution by the Mayor." The Motion to Amend was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Discussion continued, with a presentation by Mr. Louis Miller, Aviation General Manager, who gave an overview of the concession process in evaluating the Procurement Office. After the presentation, Mr. Miller responded to questions by Council. Subsequently, Councilmember Martin made a Motion to Approve 11-R-1846 as Amended. Properly Seconded, the Motion CARRIED by a roll call vote of 13 yeas; 2 nays. Thereafter, Councilmember Martin made a Motion to exit Committee of the Whole. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

REGULAR SESSION

Back within Regular Session and at the request of Council President Mitchell, Municipal Clerk Rhonda Dauphin Johnson sounded the caption of Resolution 11-R-1845. Councilmember Martin then made a Motion to Adopt 11-R-1845 on Substitute as Amended. Councilmember Bond was recognized and made a procedural Motion to Combine the Votes of 11-R-1845 and 11-R-1846. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 3 nays. The Motion was then made by Councilmember Martin to Adopt both 11-R-1845 on Substitute As Amended and 11-R-1846 As Amended. However, Councilmember Moore made a Substitute Motion to Refer both resolutions back to the Transportation Committee for a two-week time certain. The Motion was Seconded by Councilmember Bond but FAILED by a roll call vote of 3 yeas; 12 nays. After a brief discussion, the prevailing joint Motion to Adopt 11-R-1845 on Substitute As Amended and 11-R-1846 as Amended CARRIED by a roll call vote of 12 yeas; 3 nays.

Acting Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (5)

C. T. MARTIN, CHAIR

RESOLUTIONS (CONT'D)

11-R-1845 (2) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to award and execute the following Airport Concessions Agreements: FC-5461 Food and Beverage Package #1 with Hojeij Branded Foods, Inc., FC-5462 Food and Beverage Package #2 with Concessions/H&H JV, FC-5463 Food and Beverage Package #3 with Host+ATLchefs JV3, FC-5464 Food and Beverage Package #4 with DNCTHS Atlanta Partners, FC-5465 Food and Beverage Package #5 with Host+ATLchefs JV5, FC-5466 Food and Beverage Package #6 with Atlanta Restaurant Partners, LLC, FC-5467 Food and Beverage Package #7 with Global Concessions, Inc., FC-5468 Food and Beverage Package #8 with Mack, Inc., FC-5469 Food and Beverage Package #9 with Vida Velocity Management, LLC for Food and Beverage Concessions at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

Note: See above discussion for 11-R-1845

Yeas: **Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **Archibong, Moore and Bond**

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 3 NAYS

11-R-1846 (3) A Resolution by **Transportation Committee** authorizing the Mayor to award and execute the following Airport Concessions Agreements: FC-5470 Retail E&F Package #1 with LTL ATL JV, LLC and FC-5471 Retail E&F Package #2 with Paradies-Atlanta II JV for Retail Concessions at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

Note: See above discussion for 11-R-1846

Yeas: **Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Watson and Willis**

Nays: **Archibong, Moore and Bond**

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 3 NAYS

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTION/ADOPTED

12-R-0069 (1) A Resolution by **Councilmembers Carla Smith, Kwanza Hall, Ivory Lee Young, Jr., Cleta Winslow, Natalyn Archibong, Alex Wan, Howard Shook, Yolanda Adrean, Felicia Moore, C. T. Martin, Keisha Bottoms, Joyce Sheperd, Michael Julian Bond, Aaron Watson and H. Lamar Willis** a resolution by the governing authority of the City of Atlanta providing that as a group and as individuals, the Mayor, the Atlanta City Council President and all members of the Atlanta City Council subscribe to the Five Ethics Principles approved by the Board of Directors of the Georgia Municipal Association and pledges to conduct its affairs accordingly; and for other purposes.

Councilmember Moore made a Motion to Adopt Resolution 12-R-0069. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

Yeas: Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis

Nays: None

ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

ORDINANCES/REFERRED

12-O-0071 (1) An Ordinance by **Councilmember C. T. Martin** authorizing the Mayor or his designee to amend Ordinance Number 11-O-1503 by specifically stating that the language in Ordinance Number 10-O-1751 will be in force after April 30, 2012; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

12-O-0076 (2) An Ordinance by **Councilmember Alex Wan** authorizing the Mayor, or his designee, to prohibit parking from 8:00 a.m. to 9:00 a.m. and 3:15 p.m. to 4:15 p.m. on school days along the north curb lane of Virginia Avenue, N.E. from Greencove Ave. to the driveway of Inman Middle School; to install signs indicating right hand turn only 8:00 a.m. to 9:00 a.m. and 3:15 p.m. to 4:15 p.m. Monday to Friday when entering and leaving Inman Middle School driveway on Virginia Ave., N.E.; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-0077 (3) An Ordinance by **Councilmembers Michael Julian Bond, C. T. Martin, Joyce M. Sheperd, Aaron Watson, Clela Winslow, Carla Smith, Natalyn Archibong, Ivory Lee Young, Jr. and Kwanza Hall on behalf of Council President Ceasar C. Mitchell** to amend Section 106-229 of the Code of Ordinances of the City of Atlanta (Entitled "Children in Need of Supervision") so as to modify the penalty provision thereof to cause said provision to be consistent with the general penalty provision contained in the Atlanta City Code; to waive conflicting ordinances and code sections; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

12-O-0078 (4) An Ordinance by **Councilmember H. Lamar Willis** authorizing the Chief Financial Officer to amend the FY 2012 Intergovernmental Grant Fund Budget, Office of the Mayor, by adding to anticipations and appropriations grant funds in the total amount of Three Million One Hundred Twenty Three Thousand Dollars and No Cents (\$3,123,000.00) from the Bloomberg Family Foundation Inc. for the Mayors' project; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

12-R-0072 (1) A Resolution by **Councilmember Kwanza Hall** authorizing the Mayor or his designee to apply for, accept and sign all grant agreements from the State of Georgia Department of Natural Resources to explore the concept of the "John Portman Architectural District;" and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

12-R-0073 (2) A Resolution by **Councilmember Clela Winslow** to accept the donation of recreation equipment and children games from Peachtree Christian Church; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

12-R-0074 (3) A Resolution by **Councilmember Joyce M. Sheperd** to amend Resolution 11-R-0770 so s to extend the expiration date for the Tire Commission; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 12-R-0075 (4) A Resolution by **Councilmember Alex Wan** authorizing the Bureau of Planning to recognize as a nonconforming lot of record, a lot located at **1036 Drewry Street, N.E.** that has been created as the result of previously issued building permits and that presently has a house located on it.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the January 03, 2012 meeting of the Atlanta City Council was adjourned at 10:02 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (15).